

lows: "There is authorized to be appropriated to the Commission for each fiscal year and to remain available until expended \$550,000 to assist in meeting the expenses of the Commission for the purpose of carrying out the provisions of this chapter, such appropriation to be disbursed on voucher to be approved by the Chairman of the Commission."

Subsec. (d). Pub. L. 99-7, § 4, added subsec. (d).  
1979—Subsec. (c). Pub. L. 96-60 added subsec. (c).  
1978—Subsec. (a). Pub. L. 95-426 substituted "\$550,000" for "\$350,000".

1976—Pub. L. 94-534 designated existing provisions as subsec. (a) and added subsec. (b).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-7 effective Apr. 15, 1985, see section 6(a) of Pub. L. 99-7, set out as a note under section 3002 of this title.

### § 3008. Commission staff

#### (a) Personnel and administration committee

The Commission shall have a personnel and administration committee composed of the Chairman, the Cochairman, the senior Commission member from the minority party in the House of Representatives, and the senior Commission member from the minority party in the Senate.

#### (b) Committee functions

All decisions pertaining to the hiring, firing, and fixing of pay of Commission staff personnel shall be by a majority vote of the personnel and administration committee, except that—

(1) the Chairman shall be entitled to appoint and fix the pay of the staff director, and the Cochairman shall be entitled to appoint and fix the pay of his senior staff person; and

(2) the Chairman and Cochairman each shall have the authority to appoint, with the approval of the personnel and administration committee, at least four professional staff members who shall be responsible to the Chairman or the Cochairman (as the case may be) who appointed them.

The personnel and administration committee may appoint and fix the pay of such other staff personnel as it deems desirable.

#### (c) Staff appointments

All staff appointments shall be made without regard to the provisions of title 5 governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and general schedule pay rates.

#### (d) Commission employees as congressional employees

(1) For purposes of pay and other employment benefits, rights, and privileges and for all other purposes, any employee of the Commission shall be considered to be a congressional employee as defined in section 2107 of title 5.

(2) For purposes of section 3304(c)(1) of title 5, staff personnel of the Commission shall be considered as if they are in positions in which they are paid by the Secretary of the Senate or the Clerk of the House of Representatives.

(3) The provisions of paragraphs (1) and (2) of this subsection shall be effective as of June 3, 1976.

(Pub. L. 94-304, § 8, June 3, 1976, 90 Stat. 662; Pub. L. 99-7, § 5, Mar. 27, 1985, 99 Stat. 19.)

#### REFERENCES IN TEXT

The provisions of title 5 governing appointments in the competitive service, referred to in subsec. (c), are classified generally to section 3301 et seq. of Title 5, Government Organization and Employees.

#### AMENDMENTS

1985—Subsecs. (a), (b). Pub. L. 99-7, in amending section generally, added subsecs. (a) and (b).

Subsec. (c). Pub. L. 99-7, in amending section generally, designated existing provisions as subsec. (c) and substituted "All staff appointments shall be made" for "The Commission may appoint and fix the pay of such staff personnel as it deems desirable,".

Subsec. (d). Pub. L. 99-7, in amending section generally, added subsec. (d).

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-7 effective Apr. 15, 1985, except for enactment of subsec. (d) which was effective June 3, 1976, see section 6(a), (b)(2) of Pub. L. 99-7, set out as a note under section 3002 of this title.

#### TRANSFER OF FUNCTIONS

Certain functions of Clerk of House of Representatives transferred to Director of Non-legislative and Financial Services by section 7 of House Resolution No. 423, One Hundred Second Congress, Apr. 9, 1992. Director of Non-legislative and Financial Services replaced by Chief Administrative Officer of House of Representatives by House Resolution No. 6, One Hundred Fourth Congress, Jan. 4, 1995.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 3007 of this title.

### § 3009. Printing and binding costs

For purposes of costs relating to printing and binding, including the costs of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

(Pub. L. 94-304, § 9, as added Pub. L. 99-190, § 134, Dec. 19, 1985, 99 Stat. 1322.)

## CHAPTER 46—INTERNATIONAL INVESTMENT AND TRADE IN SERVICES SURVEY

Sec.	
3101.	Congressional statement of findings and declaration of purpose. <ul style="list-style-type: none"> <li>(a) Findings.</li> <li>(b) Purpose.</li> <li>(c) Nonrestraint and nondeterrence of investment.</li> </ul>
3102.	Definitions.
3103.	Presidential authority and duties. <ul style="list-style-type: none"> <li>(a) Data collection program; studies and surveys; periodic report to Congressional committees; statistical information publication.</li> <li>(b) Benchmark survey of United States direct investment abroad and foreign direct investment in United States.</li> <li>(c) Benchmark survey of foreign portfolio investment in United States and United States portfolio investment abroad; report to Congress.</li> <li>(d) Foreign agricultural and real property investment and land data system; study; submittal of findings and conclusions to Congress.</li> <li>(e) Report on cost of monitoring and compiling data on legislation enacted by foreign nations regulating and restricting foreign inward investment.</li> </ul>

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- (f) Reporting, recordkeeping, and documentation.
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  - (h) Bureau of Economic Analysis report.
3104. Rules and regulations.
- (a) Authorization.
  - (b) Recordkeeping and reports.
  - (c) Access to information; limitation.
  - (d) Access to Bureau of Economic Analysis information.
  - (e) Penalty.
3105. Enforcement.
- (a) Civil penalty for failure to furnish information.
  - (b) Civil action for failure to furnish information.
  - (c) Criminal penalty for failure to submit information.
3106. Use of experts and administrative support services.
- (a) Compensation and travel expenses.
  - (b) Use of available Federal agency services, equipment, personnel, and facilities.
3107. Consultations; creation of independent public advisory committees.
3108. Authorization of appropriations.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 3142, 3144 of this title; title 13 section 401.

**§ 3101. Congressional statement of findings and declaration of purpose**

**(a) Findings**

The Congress finds and declares that—

- (1) the United States Government is presently authorized to collect limited amounts of information on United States investment abroad and foreign investment in the United States;
- (2) international investment has increased rapidly within recent years;
- (3) such investment significantly affects the economies of the United States and other nations;
- (4) international efforts to obtain information on the activities of multinational enterprises and other international investors have accelerated recently;
- (5) the potential consequences of international investment cannot be evaluated accurately because the United States Government lacks sufficient information on such investment and its actual or possible effects on the national security, commerce, employment, inflation, general welfare, and foreign policy of the United States;
- (6) accurate and comprehensive information on international investment is needed by the Congress to develop an informed United States policy on such investment;
- (7) United States service industries engaged in interstate and foreign commerce account for a substantial part of the labor force and gross national product of the United States economy, and such commerce is rapidly increasing;
- (8) international trade and services is an important issue for international negotiations and deserves priority in the attention of governments, international agencies, negotiators, and the private sector; and

(9) existing estimates of international investment and trade in services, collected under existing legal authority, are limited in scope and are based on outdated statistical bases, reports, and information which are insufficient for policy formulation and decision-making.

**(b) Purpose**

It is therefore the purpose of this chapter to provide clear and unambiguous authority for the President to collect information on international investment and United States foreign trade in services, whether directly or by affiliates, including related information necessary for assessing the impact of such investment and trade, to authorize the collection and use of information on direct investments owned or controlled directly or indirectly by foreign governments or persons, and to provide analyses of such information to the Congress, the executive agencies, and the general public. It is the intent of the Congress that information which is collected from the public under this chapter be obtained with a minimum burden on business and other respondents and with no unnecessary duplication of effort, consistent with the national interest in obtaining comprehensive and reliable information on international investment and trade in services.

**(c) Nonrestraint and nondeterrence of investment**

Nothing in this chapter is intended to restrain or deter foreign investment in the United States, United States investment abroad, or trade in services.

(Pub. L. 94-472, § 2, Oct. 11, 1976, 90 Stat. 2059; Pub. L. 98-573, title III, § 306(b)(2), Oct. 30, 1984, 98 Stat. 3009; Pub. L. 101-533, § 6(A)[(a)], Nov. 7, 1990, 104 Stat. 2348.)

AMENDMENTS

1990—Subsec. (b). Pub. L. 101-533 inserted “to authorize the collection and use of information on direct investments owned or controlled directly or indirectly by foreign governments or persons,” after “the impact of such investment and trade,” in first sentence.

1984—Subsec. (a)(7) to (9). Pub. L. 98-573, § 306(b)(2)(A), added pars. (7) and (8), redesignated former par. (7) as (9), and inserted “and trade in services” after “international investment” in par. (9).

Subsec. (b). Pub. L. 98-573, § 306(b)(2)(B), substituted “international investment and United States foreign trade in services, whether directly or by affiliates, including related information necessary for assessing the impact of such investment and trade,” for “international investment”, and “international investment and trade in services” for “international investment”.

Subsec. (c). Pub. L. 98-573, § 306(b)(2)(C), inserted reference to trade in services.

SHORT TITLE

Section 1 of Pub. L. 94-472, as amended by Pub. L. 98-573, title III, § 306(b)(1), Oct. 30, 1984, 98 Stat. 3009, provided that: “This Act [enacting this chapter] may be cited as the ‘International Investment and Trade in Services Survey Act.’”

EX. ORD. NO. 11961. INTERNATIONAL INVESTMENT AND TRADE IN SERVICES

Ex. Ord. No. 11961, Jan. 19, 1977, 42 F.R. 4321, as amended by Ex. Ord. No. 12013, Oct. 7, 1977, 42 F.R. 54931; Ex. Ord. No. 12318, Aug. 21, 1981, 46 F.R. 42833; Ex. Ord. No. 12518, June 3, 1985, 50 F.R. 23661, provided: